

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SURIMA SUAREZ CESTERO, et al.,

Plaintiffs,

v.

DANIEL PAGAN ROSA, et al.,

Defendants

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CIVIL NO. 97-2251 (P)

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U.S. DISTRICT COURT
OLD SAN JUAN PR

O R D E R

Before the Court is Pagan & Pagan's "Motion in Relation to Order Sent by Fax Super Rush and Requesting Leave to File Documents in Spanish" (docket No. 241). On January 27, 2003, the law firm of Pagán & Pagán requested leave to withdraw as counsel for the Honorable Ferdín Carrasquillo Ayala, Mayor of Loíza. The Court denied said motion until new counsel made an appearance on behalf of the Honorable Mayor. On March 4, 2003, the Court scheduled a visual inspection of the sand extraction site, and no new counsel had appeared on behalf of the Honorable Mayor. In said order, the Court then denied Pagán and Pagán leave to withdraw because of the close proximity of the trial date.

On March 5, 2003, Pagán and Pagán filed the instant motion, alleging that they no longer represent the Honorable Mayor in his official capacity, since the Mayor terminated their contract for services in January, 2003. Therefore, they argue, they are in a difficult position, since they have already returned all the Mayor's files and records to him, and have informed him of the necessity of appointing counsel for this case.

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CIVIL NO. 97-2251 (JP)

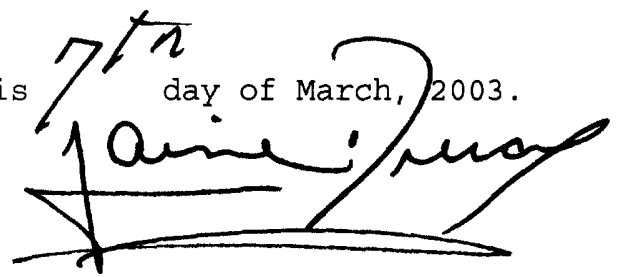
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Once again, the Court makes clear that this case **SHALL** proceed to trial as scheduled on **April 1, 2003**. The Honorable Mayor has known since January that he would be terminating the contract with Pagán and Pagán and has still not appointed new counsel in this case. The Court finds he has been negligent in this respect, and is highly displeased at this dilatory tactic on the eve of trial. This is a difficult case which has long been delayed, and the Court again stresses that the trial for this case **SHALL** go on as scheduled. Therefore, the Honorable Mayor is hereby **ORDERED** to have his new attorneys make an appearance in this case **on or before March 12, 2003**, or the Court **SHALL** strike all his defenses, and **MAY** impose other sanctions as the Court deems appropriate. Likewise, it expects his new attorneys to be present at the visual inspection of the site scheduled for Friday, March 14, 2003, and to try the case as scheduled on April 1, 2003.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this

7th day of March, 2003.

A handwritten signature in black ink, appearing to read "Jaime Pieras, Jr.", written over a horizontal line.

JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE